



General Assembly

January Session, 2009

**Amendment**

LCO No. 8777

**\*SB0115708777HDO\***

Offered by:

REP. LAWLOR, 99<sup>th</sup> Dist.

REP. STAPLES, 96<sup>th</sup> Dist.

SEN. MCDONALD, 27<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1157

File No. 678

Cal. No. 662

**"AN ACT CONCERNING FUNDING FOR LEGAL SERVICES AND  
JUDICIAL BRANCH TECHNOLOGY."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 52-258 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2009*):

5 The jury fee in civil actions shall be [three hundred fifty] four  
6 hundred twenty-five dollars to be paid at the time the case is claimed  
7 for the jury by the party at whose request the case is placed upon the  
8 jury docket. The jury fee shall be taxed in favor of the party paying the  
9 jury fee in the bill of costs in the action, if final judgment thereon is  
10 rendered in [his] such party's favor.

11 Sec. 2. Section 52-259 of the general statutes is repealed and the  
12 following is substituted in lieu thereof (*Effective July 1, 2009*):

13       (a) There shall be paid to the clerks for entering each appeal or writ  
14 of error to the Supreme Court, or entering each appeal to the Appellate  
15 Court, as the case may be, two hundred fifty dollars, and for each civil  
16 cause in the Superior Court, [two] three hundred [twenty-five] dollars,  
17 except (1) one hundred twenty dollars for entering each case in the  
18 Superior Court in which the sole claim for relief is damages and the  
19 amount, legal interest or property in demand is less than two thousand  
20 five hundred dollars and for summary process, landlord and tenant  
21 and paternity actions, and (2) there shall be no entry fee for making an  
22 application to the Superior Court for relief under section 46b-15 or for  
23 making an application to modify or extend an order issued pursuant to  
24 section 46b-15. If the amount, legal interest or property in demand by  
25 the plaintiff is alleged to be less than two thousand five hundred  
26 dollars, a new entry fee of seventy-five dollars shall be charged if the  
27 plaintiff amends his or her complaint to state that such demand is not  
28 less than two thousand five hundred dollars.

29       (b) The fee for the entry of a small claims case shall be thirty-five  
30 dollars. If a motion is filed to transfer a small claims case to the regular  
31 docket, the moving party shall pay a fee of seventy-five dollars.

32       (c) There shall be paid to the clerk of the Superior Court by any  
33 party who requests that a matter be designated as a complex litigation  
34 case the sum of [two hundred fifty] three hundred twenty-five dollars,  
35 to be paid at the time the request is filed.

36       (d) There shall be paid to the clerk of the Superior Court by any  
37 party who requests a finding of fact by a judge of such court to be used  
38 on appeal the sum of twenty-five dollars, to be paid at the time the  
39 request is filed.

40       (e) There shall be paid to the clerk of the Superior Court a fee of  
41 seventy-five dollars for a petition for certification to the Supreme  
42 Court and Appellate Court.

43       (f) [Such clerks shall also receive] There shall be paid to the clerk of  
44 the Superior Court for receiving and filing an assessment of damages

45 by appraisers of land taken for public use or the appointment of a  
46 commissioner of the Superior Court, two dollars; for recording the  
47 commission and oath of a notary public or certifying under seal to the  
48 official character of any magistrate, ten dollars; for certifying under  
49 seal, two dollars; for exemplifying, twenty dollars; for making all  
50 necessary records and certificates of naturalization, the fees allowed  
51 under the provisions of the United States statutes for such services;  
52 and for making copies, one dollar a page.

53 (g) There shall be paid to the clerk of the Superior Court for a copy  
54 of a judgment file a fee of twenty-five dollars, inclusive of the fees for  
55 certification and copying, for a certified copy and a fee of fifteen  
56 dollars, inclusive of the fee for copying, for a copy which is not  
57 certified; and for a copy of a certificate of judgment in a foreclosure  
58 action, as provided by the rules of practice and procedure, twenty-five  
59 dollars, inclusive of the fees for certification and copying.

60 (h) There shall be paid to the clerk of the [court] Superior Court a fee  
61 of one hundred seventy-five dollars at the time any application for a  
62 prejudgment remedy is filed.

63 (i) A fee of twenty dollars for any check issued to the court in  
64 payment of any fee which is returned as uncollectible by the bank on  
65 which it is drawn may be imposed.

66 (j) The tax imposed under chapter 219 shall not be imposed upon  
67 any fee charged under the provisions of this section.

68 Sec. 3. Section 52-259c of the general statutes is repealed and the  
69 following is substituted in lieu thereof (*Effective July 1, 2009*):

70 (a) There shall be paid to the clerk of the Superior Court upon the  
71 filing of any motion to open, set aside, modify or extend any civil  
72 judgment rendered in Superior Court a fee of thirty-five dollars for any  
73 housing matter, a fee of twenty-five dollars for any small claims matter  
74 and a fee of [seventy] one hundred twenty-five dollars for any other  
75 matter, except no fee shall be paid upon the filing of any motion to

76 open, set aside, modify or extend judgments in juvenile matters or  
77 orders issued pursuant to section 46b-15 or upon the filing of any  
78 motion pursuant to subsection (b) of section 46b-63. Such fee may be  
79 waived by the court.

80 (b) Upon the filing of a motion to open or reargue a judgment in any  
81 civil appeal rendered by the Supreme Court or Appellate Court or to  
82 reconsider any other civil matter decided in either court, the party  
83 filing the motion shall pay a fee of [seventy] one hundred twenty-five  
84 dollars.

85 Sec. 4. Subsection (a) of section 52-361a of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective July*  
87 *1, 2009*):

88 (a) If a judgment debtor fails to comply with an installment  
89 payment order, the judgment creditor may apply to the court for a  
90 wage execution. The application shall contain the judgment creditor's  
91 or [his] the judgment creditor's attorney's statement setting forth the  
92 particulars of the installment payment order and of the judgment  
93 debtor's failure to comply. The application shall be accompanied by a  
94 fee of [thirty-five] seventy-five dollars payable to the clerk of the court  
95 for the administrative costs of complying with the provisions of this  
96 section which fee may be recoverable by the judgment creditor as a  
97 taxable cost of the action.

98 Sec. 5. (NEW) (*Effective July 1, 2009*) The Chief Court Administrator,  
99 or a designee, on or before the last day of January, April, July and  
100 October in each year, shall certify the amount of revenue received as a  
101 result of any fee increase that takes effect July 1, 2009, set forth in  
102 sections 52-258, 52-259, 52-259c and 52-361a of the general statutes,  
103 each as amended by this act, and transfer such amount to the  
104 organization administering the program for the use of interest earned  
105 on lawyers' clients' funds account pursuant to section 51-81c of the  
106 general statutes, for the purpose of funding the delivery of legal  
107 services to the poor."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	52-258
Sec. 2	<i>July 1, 2009</i>	52-259
Sec. 3	<i>July 1, 2009</i>	52-259c
Sec. 4	<i>July 1, 2009</i>	52-361a(a)
Sec. 5	<i>July 1, 2009</i>	New section